



Kirklees Council  
Planning and Development Service  
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Date: 09-Sep-2025  
Our Ref: 2025/90119

Dear Sir,

**Application for Approval of Details Reserved by Condition  
Town and Country Planning Act 1990  
Planning (Listed Buildings and Conservation Areas) Act 1990**

**Discharge of details reserved by conditions 3 (Phase 2 Report), 4 (Remediation Strategy), 7 (CEMP), 19 (Window Details), 21 (Roofing Materials), 22 (Walling Materials), 23 (Mortar Specification), 24 (Materials (plot 15)), 29 (Boundary Treatment) on previous permission 2021/93006 for conversion of existing barn to form 8 dwellings, erection of 9 dwellings, demolition of redundant agricultural buildings and associated works (Listed Building within a Conservation Area)  
Yew Tree Farm, The Village, Farnley Tyas, Huddersfield, HD4 6UQ  
Application Number: 2025/90119**

I write with reference to your application to discharge the conditions for the above development as submitted on 16-Jan-2025.

**Condition 3: Phase 2 Report**

Pursuant to Condition 3, you have submitted:

- Phase 2 Environmental Report, Ref: C4633/24/E/7122 Rev 1, dated 09/04/25, authored by RGS, received 24/04/2025.

The submitted information is not considered to be sufficient to discharge Condition 3. This is due to a lack of detail being provided to address certain elements of this condition and concerns over some of the information proposed, as discussed in more detail within the Officer Report.

Condition 3 is therefore not discharged and must remain.

**Condition 4: Remediation Strategy**

Pursuant to Condition 4, you have submitted:

- Phase 3 Remediation Strategy Report, Ref: C4633/24/E/7068, dated 04/12/2024, authored by RGS, received 17/01/2025.

The submitted information is not considered to be sufficient to discharge Condition 4. This is due to a lack of detail being provided to address certain elements of this condition and concerns over some of the information proposed, as discussed in more detail within the Officer Report.

Condition 4 is therefore not discharged and must remain.

### **Condition 7: (Construction Environmental Management Plan)**

Pursuant to Condition 7, you have submitted:

- Construction Environmental Management Plan by Orange Design Studio, received 12/08/2025.

The submitted details are deemed to be acceptable for the initial requirements of Condition 7 and are hereby approved. However, of note, Officers highlight that condition 17 of application 2021/93006 formally restricts the use of the agricultural access road to the south of the site onto Farnley Road, and therefore this road is **not** permitted to be used as an access into the site.

Condition 7 does also have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*The agreed plan shall be adhered to throughout the construction of the development and no change therefrom shall take place without the prior written consent of the Local Planning Authority.*

Further to the above, please note the following comments from KC Environmental Health:

*The applicant is reminded that Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.*

### **Condition 19: Window Details**

Pursuant to Condition 19, you have submitted:

- Plots 9 -14, and 16-17: Engineered timber doors, windows and French doors painted in Cream RAL 9001 Teknos. Engineered aluminium bi-folding doors in a traditional framing, in the colour Cream RAL 9001.
- Plot 15: Engineered timber door and windows, painted in Cream RAL 9001 Teknos.
- Plots 9-17: Timber vertically panelled up and over garage doors, painted in Cream RAL 9001.

The submitted details are deemed to be acceptable for the initial requirements of Condition 19. However, Condition 19 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*The work shall be carried out in complete accordance with the approved details and shall be retained thereafter.*

### **Condition 21: Roofing Materials**

Pursuant to Condition 21, you have submitted:

- Sample panel photo of reclaimed stone walling and roofing slate, received 12/05/2025.

The submitted details are deemed to be acceptable for the initial requirements of Condition 21. However, Condition 21 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*Thereafter the replacement roof shall be completed in accordance with the samples so approved.*

### **Condition 22: Walling and Roofing Materials (Plots 9-14, 15 & 16)**

Pursuant to Condition 22, you have submitted:

- Sample photo panel of stone to be used in Plots 9-14, 15 & 16, received 28/03/2025.
- Sample photo of Medium Aged – Yorkshire Stone Roof Slate, received 28/03/2025.

The submitted information is sufficient to discharge Condition 22.

### **Condition 23: Mortar Specification**

Pursuant to Condition 23, you have submitted:

- Covering Letter by Orange Design Studio, dated 16/01/2024, received 17/01/2025.
- Email from agent received 12/05/2025 confirming mortar mix for Plot 15.
- Photo of mortar mix – Wormersley's Ironstone Old White NHL, received 12/05/2025.

The submitted details are deemed to be acceptable for the initial requirements of Condition 23. However, Condition 23 does have the below ongoing requirement, which must be adhered to, to ensure ongoing compliance:

*The works shall be carried out in accordance with the approved mortar mix thereafter. Weatherstruck, strap or ribbon pointing is not permitted.*

#### **Condition 24: Materials (Plot 15)**

Pursuant to Condition 24, you have submitted:

- Sample panel photo of reclaimed stone, email dated 10/04/2025.

The submitted information is sufficient to discharge Condition 24.

#### **Condition 29: Boundary Treatment**

Pursuant to Condition 29, you have submitted:

- Boundary Treatment Layout, Drawing No. (72)009 Rev J, received 12/08/2025.
- Boundary Treatment Details, Drawing No. (20)004 Rev B, received 29/07/2025.
- Boundary Retaining Wall, Drawing No. 1430/060 Rev 1, received 17/01/2025.

The submitted information does not meet all the requirements of Condition 29, and therefore Condition 29 cannot be discharged at this time.

Yours faithfully,

Mathias Franklin  
Head of Planning and Development